

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA

1. KENNETH A WILLIAMS, as an individual, )  
And as parent and next of kin of )  
2. KW IV, a minor, and )  
3. DW, a minor )  
Plaintiffs, )  
v. ) Case No. 16-CV-559-Raw  
4. WILLIAM THOMPSON, an individual, )  
5. MURRAY AG TRANSPORT, LLC, )  
An Interstate carrier operation, and )  
6. GREAT WEST CASUALTY, a foreign )  
Insurance company, )  
Defendants. )

COMPLAINT

COMES NOW the Plaintiffs, Kenneth A. Williams, as an individual and as a parent and next of kin of KW IV, and DW, by and through their attorneys of record, Mark Edwards and Trevor Furlong of The Edwards Law Firm, and for their claim against William Thompson, Murray Ag Transport, LLC, and Great West Casualty, alleges and states the following:

**I. JURISDICTION**

1. This is an action for damages resulting from personal injury arising from a motor vehicle collision that occurred on November 27, 2016.
2. Jurisdiction of this Court is founded upon 28 U.S.C. Section 1332 in that Plaintiffs and Defendants are citizens of different states with the amount in controversy in excess of \$75,000.00 exclusive of interest and cost.

3. Venue of this Court is invoked pursuant to 28 U.S.C. Section 1391(b)(2) in that the events giving rise to this claim occurred in Eastern District of Oklahoma.

## **II. PARTIES**

4. The Plaintiffs in this action are:

- (a) Kenneth A. Williams- He resides in Kansas City, Kansas, Wyandotte County, State of Kansas.
- (b) KW IV - He is a minor who resides in Kansas City, Kansas, Wyandotte County, State of Kansas.
- (c) DW – He is a minor resides in Kansas City, Kansas, Wyandotte County, State of Kansas.

5. The Defendants in this action are:

- (a) William Thompson- He resides in Lucas, Collin County, State of Texas.
- (b) Murray Ag Transport, LLC a business located in Ector, Fannin County, State of Texas.
- (c) Great West Casualty, an insurance company located in South Sioux City, Dakota County, State of Nebraska.

## **III. Facts**

6. On November 27, 2016, Kenneth A. Williams, was driving a vehicle in Muskogee, Muskogee County, State of Oklahoma, when Defendant, William Thompson, hit Mr. Williams' vehicle from behind twice causing the vehicle to spin out of control. Mr. Thompson then hit Mr. Williams and Plaintiffs, KW IV

and DW, suffered great bodily harm as a result of this collision. At the time of this collision, Mr. Thompson was driving a tractor-trailer owned by Murray AG Transport, LLC and insured by Great West Casualty.

**IV. Negligence**

7. Plaintiff hereby incorporates paragraphs 1 through 6 above.
8. Defendant, William Thompson, was negligent in his operation of his vehicle.
9. Defendant, William Thompson's, negligence was the direct cause of the injuries sustained by Plaintiffs, Kenneth A. Williams, KW IV and DW.
10. Defendant, William Thompson, was acting within the scope of his employment for Defendant, Murray Ag Transport, LLC, at the time of said negligence.
11. Defendant, Murray Ag Transport, LLC, is vicariously liable for William Thompson's negligence.
12. Pursuant to the requirements of the Statutes of the State of Oklahoma, Defendant, Great West Casualty, has as a condition to the insurance policy issued to Defendant Murray Ag Transport, LLC, of which said insurance company was obligated to make compensation for injuries or death to persons resulting from the operation of said Defendant, Murray Ag Transport, LLC, and to make compensation for damages to property by reason of such operation of said motor carrier.
13. That as the result of Defendants' negligence, Plaintiffs, Kenneth A. Williams, KW IV, and DW suffered and will suffer physical and mental pain,

suffered and will suffer physical impairments and disabilities, suffered permanent injury, have lost wages suffered impairment to earning capacity, incurred and will incur medical expenses, suffered property damages, and were otherwise injured and damaged, each in an amount in excess of \$75,000.00.

14. That the above acts by the Defendants were committed in a reckless disregard for the rights and safety of Plaintiffs, thereby entitling Plaintiffs to punitive damages against Defendants in an amount in excess of \$75,000.00.

**WHEREFORE**, Plaintiffs prays for judgment against the Defendants each in an amount in excess of \$75,000.00, their costs, attorney fees, and such other and further relief to which they may be entitled.

Respectfully Submitted,

**THE EDWARDS LAW FIRM**

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